

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2015-103040-002 SE

08/21/2015

JUDGE PRO TEM BRIAN D. KAISER

CLERK OF THE COURT

A. Pagel-Spaulling

Deputy

STATE OF ARIZONA

KELLY S NEAL

v.

TONYA MARIE WOMACK (002)

DOB: 11/26/1972

LEGAL DEFENDER'S OFFICE

APO-SENTENCINGS-SE

APPEALS-CCC

DISPOSITION CLERK-CSC

RFR

SUSPENSION OF SENTENCE – PROBATION GRANTED

10:20 a.m.

Courtroom 202 SEA

State's Attorney: Jennifer Heykoop

Defendant's Attorney: Scott Allen

Defendant: Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

The plea is amended as reflected on the record.

FILED: Amended Waiver Of Preliminary Hearing With Plea Agreement

Count(s) 3: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

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IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

Count 3 (AS AMENDED): POSSESSION OF DRUG PARAPHERNALIA  
Class 6 UNDESIGNATED FELONY

A.R.S. § 13-3401, 3408, 3413, 3415, 3416, 3418, 105, 604, 610, 701, 702, 707, 801, 802,  
901.01(A)

Date of Offense: On or about 1/19/2015

Non Dangerous - Non Repetitive

Count 3 is a Prop 200 1<sup>st</sup> strike offense.

IT IS ORDERED suspending imposition of sentence and placing defendant on probation under the supervision of the Adult Probation Department for a period of:

Count 3 Probation Term: 2 YEARS

To begin 8/21/2015.

IT IS ORDERED that probation in CR 2015-103040-002 (Count 3) run concurrently with probation in CR 2015-135164-001 (Count 5).

Conditions of probation include the following:

Condition 6 – I will report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. I will also keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. I will provide sample for DNA testing if required by law.

Condition 15 - Restitution, Fines, and Fees:

PROBATION SERVICE FEE: Count 3 - \$65.00 per month, beginning 10/1/2015.

FINE: Count 3 - Total amount of \$2196.00, payable \$25.00 per month beginning 10/1/2015. Surcharges are 83%.

Fine is to be paid to the Arizona Drug Enforcement Fund.

ASSESSMENTS:

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Count 3: PROBATION ASSESSMENT: \$20.00 payable on 10/1/2015.

Count 3: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00 payable on 10/1/2015.

Count 3: Penalty Assessment pursuant to A.R.S. § 12-116.04 in the amount of \$13.00, payable on 10/1/2015. Investigative Agency: Mesa Police Department.

TECHNICAL REGISTRATION FUND: Count 3: \$15.00, payable on 10/1/2015.

All amounts payable through the Clerk of the Superior Court.

Condition 16 - Not consume or drink any substance containing alcohol.

Condition 17 – Count 3: Complete a total of 100 hours of community restitution. Complete a set number of hours per month as directed in writing by probation officer. Complete these hours at a site approved by the APD.

IT IS ORDERED granting the motion to dismiss Count 2.

The Defendant has been advised pursuant to ARS 13-805 that failure to maintain contact with the probation department will result in the issuance of:

- 1) A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.
- 2) A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution order.

IT IS FURTHER ORDERED that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any defendant placed on probation whom has not already had a State Identification Number (SID) established to submit to fingerprint processing.

IT IS FURTHER ORDERED releasing Defendant from custody as to this cause number only.

FILED: Expedited Presentence Investigation in CR 2015-103040-002.

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10:33 a.m. Matter concludes.

IT IS ORDERED that defense counsel shall preserve defendant's file for post-conviction relief purposes. If defense counsel receives notice that defendant is seeking post-conviction relief, counsel shall prepare the file for delivery to PCR counsel and shall make timely arrangements for the exchange thereof when notified. Further, upon exchange of the file, defense counsel shall file with the court a Notice of Compliance that shall, at a minimum, include date of compliance, recipient of the file, and an itemization of contents of the file. A copy of the Notice shall be provided to PCR counsel, the State and the PCR Unit.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ JUDGE PRO TEM BRIAN D. KAISER  
OF THE SUPERIOR COURT

(right index fingerprint)